IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 6191 of 2001

Between:

N. Sankaranarayana, S/o Sri N. Subbarayudu,
Incharge, Deputy Executive Enginer, & P.A. to Superintending

Engineer, Social welfare, O/o the Superintending Engineer,
A.P.S.C. Co-op.Finance Corpn.Ltd., Hyderabad, R/o.Hyderabad.

PETITIONER

AND

1 The State of Andhra Pradesh, Rep.by its Principal Secretary to

Government, Social Welfare Department, Secretariat, Hyderabad-

22.
2 A.P. Scheduled Castes Co-op. Finance Corporation Ltd., Rep. by its

Vice Chairman & Managing Director, V Floor, Telugu Samkshema

Bhavan, Masab Tank, Hyderabad-28.
3 The Secretary, A.P. Social Welfare Residential Educational

Institutions Society, Telugu Samkshema Bhavan, Masab Tank,
Hyderabad.
4 The Superintending Engineer, Social Welfare, A.P. Scheduled

Castes Co-op. Finance Corporation Ltd., V Floor, Telugu

Samkshema Bhavan, Masab Tank, Hyderabad-28.
5 R. Yadaiah, S/o. Nagulu, working as Assistant Enginer, Hyderabad

District Scheduled Caste Coop.society Ltd., at present working in

the office of the Supdt.Engineer on OD basis,(R5 is impleaded as

per the Court order dt.25.7.2001 in WPMP.No.18220/2001)

RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of writ of Certiorari (a) by calling for the records relating to and connected with the proceedings No.A2/8548/APSC/96, dated 29-3-2001 of the 2nd respondent and quash or set aside the same holding it as arbitrary, illegal, unjust and violative of Articles 14 and 16 of the Constitution of India and (b) consequently direct the respondents to permit the petitioner to function as P.A to Superintending Engineer, Social Welfare, Hyderabad Circle, and (c) also further direct the respondents to treat the period from 25-10-2000 till the petitioner is allowed to work by treating the same as compulsory wait and direct the Respondent pay the petitioner salary and allowances for the said period.

Counsel for the Petitioner: MR.NUTY RAM MOHAN RAO

Counsel for the Respondent No.1: GP FOR SOCIAL WELFARE

Counsel for the 3rd respondent: Mr. S.Mohan Rao.

Counsel for the 2nd and 4th respondents: Mr. M.V.S.Suresh.

Counsel for the 5th respondent: Mr. P.Naveen Rao

The Court made the following:

ORDER:

This writ petition is filed seeking a certiorari to quash the proceedings of the 2nd respondent in file No.A2/8548/APSC/96 dated 29-3-2001 and consequently to direct the respondents to permit the petitioner to function as P.A. to Superintending Engineer, Social Welfare, Hyderabad Circle and further to direct the respondents to treat the period from 25-10-2000 till the petitioner was allowed to work as compulsory wait and also to direct the respondents to pay the petitioner salary and allowances for the said period.

The main writ petition was filed questioning the proceedings dated 29-3-2001. Though initially an interim order was passed, thereafter, the same was vacated. Because the prayer (a) and (b) does not survive, the writ petition has become infructuous. Thus the writ petition is liable to be dismissed as infructuous. However, it is contended that in so far as prayer '(c)' is concerned, the petitioner made several representations, the last one being dated 25-10-2000 and there was no response from the respondents; therefore, he has included the said prayer also herein.

Without expressing any opinion on merits, the respondents are directed to consider the representation purported to have been made on 03-3-2001 by the petitioner and dispose of the same within a period of two months from the date of receipt of a copy of this order.

The Writ petition is, accordingly, disposed of. No order as to costs.

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Justice C.V.RAMULU

21-6-2005

Dvs

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Copies to:

1. The Principal Secretary to the Government,The State of Andhra

Pradesh, Social Welfare Department, Secretariat, Hyderabad- 22.
2 The Vice Chairman & Managing Director,A.P. Scheduled Castes Co-

op. Finance Corporation Ltd., V Floor, Telugu Samkshema

Bhavan, Masab Tank, Hyderabad-28.
3 The Secretary, A.P. Social Welfare Residential Educational

Institutions Society, Telugu Samkshema Bhavan, Masab Tank,
Hyderabad.
4 The Superintending Engineer, Social Welfare, A.P. Scheduled

Castes Co-op. Finance Corporation Ltd., V Floor, Telugu

Samkshema Bhavan, Masab Tank, Hyderabad-28.

5. Two CCs. to the GP for Social Welfare, High Court Buildings,

Hyderabad.

6. Two CD copies.

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HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.6191 OF 2001

21st June, 2005